App. F. IX-4

1938.

File No. 126.38.

Serial Nos. 1-4.

Previous References

Inam 84.05.—
" 514-21.(1-4)
" 514.21-(5-6)

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4.

Part B for Oct. 1939.

SUBJECT.

Review petition regarding Jaffe Service Inam lands in Sulibele Vella Hosakote Taluk.

RO 679 dt 28.9.39.

Jaffe Bukkanaiya and Jaffe Venkata Lakshmamma Sulibele Hosakote Taluk

In forma Pauperis Three revision petitions in respect.

WD 0418—GPB—22,500—29-8-36

G. R. S. APP. F. III—1]

Review Petn
Misc ~~Appl~~ No. 7 of 38-39

GENERAL AND REVENUE SECRETARIAT.

(Miscl

NOTES.

File No. 126-38

FILE HEADING

Review petition regarding Taffe Service Inam lands in Bilibele Village Hoskote Taluk.

FROM Taffe Ruthachaiah and Taffe Venkatalakshmamma Bilibele. Hoskote Taluk

No. — Dated 14-10-38 Received 20/10/38

Diary No. 439 | Enclos. 5 | Spare copies — | Serial No. 1

BRIEF ABSTRACT OF LETTER

Pray for a reconsideration of G.O. No 6509-11/Misc 5-14-21-6 of 19-5-22 directing that the Inam lands be resumed from Taffe people and transferred to the Khathe of the temples wherein they were formerly performing such service.

NOTES AND ORDERS.

xD xS. 1) At the end of para 4 of the P.R. the pets say that they were kept in utter darkness of the orders passed by Govt in 1922 — that it is only now they have received an Extt from the D.C.

2) The pet is insufficiently stamped & if appeal a report with records on several points raised in the pet will be called for.

3) In para 14 two pets ... etc.

NOTES—First Sheet

WD 0283—GPB—3,750—25-1-38

File No. 125 of 1938. General and Revenue Secretariat

GENERAL SECRETARY.
7 NOV. 1938
68

O. M. No 29 of 10/11/38 from the Munsif 2
Commissioner calling for a report with
connected records on the petition in dl.

Letter No HC 28/38-39 of 12/8/39 3
from the Munsif Commissioner submitting
records connected with the review petition
and stating that there is no fresh valid
ground to reopen the question of restoring
the Tafe Service Inam lands referred to therein.

The facts of the case are fully set
forth in the D's report No C3. 2125/38.39
of 28/1/39 & the circumstances under which
the case has now come up before Govt for a
reconsideration of the Govt order of 1922 directing
the resumption of the Tafe Service Inam
lands in question are explained at the
end of para 6 of the above report.

The petrs have appealed to
their Review for the City of the Record relating
to the year 1829 corresponding to Fasli 1238
as per M/8/8, & the original of this record is called

Serial No.

to the wife one Narayani, daughter of Moorty. Mentioned in the Genealogical table found in the Vernacular records received from the M.C. It is not clear how this copy of the Sanad which should form part of records either in the T.K. office or in Bangalore Dy. office has gone to the hands of the petitioners for production in connection with the Case.

(b) Kind reference is invited to the following extract from the same:- x x x x

ಶ್ರೀ ರಂಗಪ್ಪನವರು ಸ್ವರ್ಗವಾಸಿಗಳಾದ ಶ್ರೀ ಬಸವಪ್ಪ
ಇವರಿಗೆ ಕೊಟ್ಟ ಇನಾಮು ಭೂಮಿಯ ಪೈಕಿ ಶ್ರೀ ಬಸವಪ್ಪ
ಇವರಿಗೆ ಕೊಟ್ಟ ಇನಾಮು ಭೂಮಿಯ ಪೈಕಿ ಶ್ರೀ ಬಸವಪ್ಪ
ಇವರಿಗೆ ಕೊಟ್ಟ ಇನಾಮು ಭೂಮಿಯ ಪೈಕಿ ಶ್ರೀ ಬಸವಪ್ಪ

= ಶ್ರೀ ಬಸವಪ್ಪ ಇವರಿಗೆ ಕೊಟ್ಟ ಇನಾಮು ಭೂಮಿಯ ಪೈಕಿ ಶ್ರೀ ಬಸವಪ್ಪ
ಇವರಿಗೆ ಕೊಟ್ಟ ಇನಾಮು ಭೂಮಿಯ ಪೈಕಿ ಶ್ರೀ ಬಸವಪ್ಪ

No. of 19 ? | General and Revenue Secretariat.

Serial No.

[illegible] orders to the Tahsildar Thimmappa Naik from the Amildars of the following, an extract of which is as follows:—

× × × ×

[illegible] "

(ii) Kind regd is also invited to the entries in Cols 13 & 14 of the certified Inam register extract. In Paimayishi Account of 1805 the land is described as Tope Inam (Vide Col 13 of the Inam Regr extract) In the Jamabandi Accounts of 1800 & Paimayishi Account of 1805 the Names of Tope persons are noted. The Kind of 1827 does not also appear to have been produced at the time of Inam Settlement as seen from the "Nil" entry made under Col-11.

Serial No.

×V2 In Col 12 of the Inam Statement ×1 only appended to the D.C's report. there is a ref^ce to Subedar Ramji Pandit Bro's Inam but no mention of the Nirakh of 1827 is made therein as borne out by the Statement made in Col 7 Viz that they (the ancestors of the present) do not know how & when they got these Inam lands - whether the non production of the Nirakh Copy or an Inam grant will be altered aims is a matter for consideration - The lands appear to have been in the enjoyment of persons & their ancestors from 1805- onwards down to 1913 when the last Servicedar died & from which date till 1922 The free assessment on the lands appears to have been levied from the descendants the Inam lands having subsequently been leased out for the benefit of temples in whose favour they are entered as devadeya (Vide Col 2 of the Inam register (extract).

Q. The P.W.D & The Communication 25/8/39 from the ×2 Supdt Land Records Survey & Inam Settlement addressed to the M.C. are silent about the significance of the Nirakh; in the circumstances whether the views held by the D.C. is not tenable

NOTE-Contn Sheet D

6) Nemi-Kalyan. - 2

File No. 194 of 1939. General and Revenue Secretariat.

Serial No.

is a matter for consideration.

To ADC —

6/9/39 — It seems necessary to reopen the settlement, according to which the lands are devolving to the Devasthanam as the deed has been issued in favour of the petitioner's ancestors. The matter was also decided 17 years ago. There seems to be no reason to reconsider it. The petition may be rejected

Ms 6.9

Secy

2nd Member) M) Yes 21/9 Ms

B) Yes

May be put up to 1st Mr also

Ks 22.9

3rd Member) T) Yes 22/9 Ms

25/9/39

Yes 25/9 Yes 25/9

GENERAL SECRETARIAT
6 SEP. 1939
12 PM

OFFICE OF THE
1939
2431.

SEP 22 1939
No.

Serial No.	
4	No 679 dy 28/9/39 to Tahsildar Nuzvid & Venkatalakshmana Sami Subbalu. Hereby he informed that their review petition is rejected. No 680 dy 28/9/39 to the Mlg vice Commissioner forwarding Copy of the above —

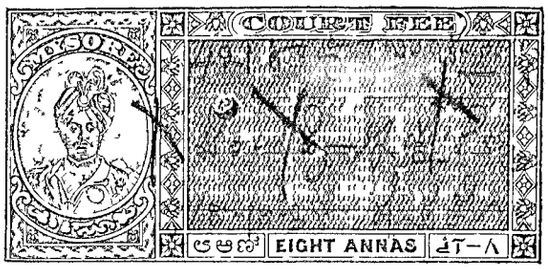
JS 5/10

NOTE-Contn. Sheet

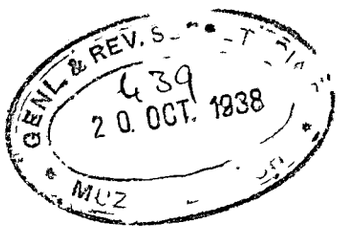
File No. of 19 .

General and Revenue Secretariat.

erial No.

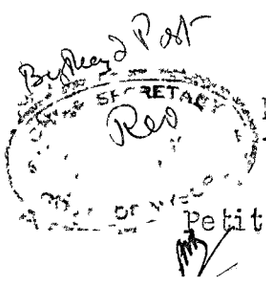


Mys 126-38-1



BEFORE THE GOVERNMENT OF HIS EXALTED
HIGHNESS OF MYSORE, BANGALORE.

-ooOoo-



Lux. Petition No. 7 of 38 - 39. Review

Petitioners :- 1. [illegible],
son of Subbarayappa,
resident of Sulebele,
Hoskote Taluk.

2. [illegible] Venkatalakshmamma
Resident of Sulebele,
Hoskote Taluk.

The petitioners above-named beg to submit as follows -

1). That they are the descendants of the "TAKA SERVICE" Inamdars of the marginally noted five temples of Sulebele Village, Hoskote Taluk Bangalore District.

2) That the said "TAKA SERVICE" in the above temples, has been enfeoffed with S. Nos. 189 and 265 of Sulebele Village, measuring about 18 acres and 19 guntas in extent and assessed at Rs: 40-0-0 with a Kodi of Rs. 3-11-0 per annum.

3). That these Inam Lands had been in the possession and enjoyment of the ascesstors of the petitioners from time - immemorial and the right of Tafa people in these Inam Lands has been registered in the Poorniah's Inamty Account of 1800 to 1810 as is evidenced by the Order of the Amildar of Hoskote dated the 4 th of Magha Bahula of Vyaya Samvastara corresponding to the English year 1827. (The original of this Order of the Amildar to the Sekdar of the Hobli, which was served on the then Inamdars is herewith produced for kind perusal) It may be kindly seen therefrom that reference has been made in the said order to the effect that these Inam Lands were in the enjoyment of the Tafa Servicedars even prior to 1827 and the fact ~~that~~ had been investigated by Dewan Poorniah in his Paimayish of 1800 to 1810 and noted in his Inamti Registers and the said fact had been verified with reference to the Account Registers maintained in the Dewan Katcheri and as such they might be left in their undisturbed possession and enjoyment of these people as per "Huzur Orders" cited in that.

4). That these Inams enjoyed by persons noted in the said Poorniah's Inamti Registers have been fully recognised in the Inam Settlement Rules promulgated in 1868 -

1868 and published by the Inam Commissioner later on and the Inams have accordingly been recognised in the days of the Inam Commission after necessary enquiry and the observations of the Commissioner have been noted in the Inam Settlement Register of 1867 conferring full title on the Servicedars for the perpectual enjoyment of these Inams. (Vide the extract of the Inam Settlement Register of 1867 enclosed herewith and particularly colum 20 thereof containing Order of the Inam Commissioner).

Flag 2

5). That in accordance with the terms of the Inam Settlement referred to above, the lands in question have been registered in the Khatha of the TAFA SERVICEDARS in their own right in the Village accounts as far back as 1886 and prior thereto, as could be seen from the Khethwar Extract of these Inam Lands pertaining to the year 1886 - 87 (Copy enclosed herewith for kind perusal).

Flag 0

6). That upon the basis of the Inam Settlement and subsequent continuous enjoyment of these lands by the petitioners ancesstors, a final Title Deed NO: 635 Dated 13 th March 1896 was issued by the Inam Superinten ent to the TAFA SERVICEDARS in their individual capacity in respect of these particular Inams as a " TAFA SERVICE INAM" apart from the other Devadaya Inams granted for the support of the said temples in respect of which a separate

separate Title deed has been issued (Vide the Final Title Deed produced herewith).

7). That the order of April 1909 - invariably referred to in the case of the redumotion of the Tafa Service Inam Lands clearly and ~~irrevokably~~ unmistakably lays down that "where land or other Inams if any have been specially granted to any individuals for Tafa Service in temples and Title Deeds have been issued in the names of such individuals, the Government direct that such Inams be confirmed under Rule VIII Clause (F) of the Inam Rules to the holders thereof as permanent and alienable property, subject to the payment of quit rent as laid down therein" Etc., that the present case of the petitioners is one which falls directly under this, proviso of the said G.O. and in effect ~~XXXX~~ they are fully entitled to the un-distrubed possession and enjoyment of these Inam Lands with permanent and alienable rights over them.

8). That the said Government Order of 1909 has been wrongly interpreted by the authorities and the Inam lands have been illegally and unauthorisedly resumed by Government as contemplated in the latter part of the same GO. which provides for the resumption of the said lands after the death of the anubhavadars at the time of the passing of the said Order of 1909. This latter procedure is -

is contemplated only in respect of lands which are endowments to the temple and have been left in the possession of the persons rendering Tafa Service as a remuneration for such Service etc., etc., This category of Tafa Service Inam Lands are ntirely diffement from those referred to in para 7 above and as suchrequire altogether different treatment from what has been done now and they have to be restored to the family of the late Servicedars, as these Inams clearly form the personal and alienable property of the present petitioners, as they are the survivors of the Inamdar's family.

9). That the ~~GKGAKXNAXK~~ death of Venkatagirisani in 1913 does not in this particular case, entitle Government in any way to interfere with the legal enjoyment of these lands by the members of the family of the Tafa Servicedars, as they formed their personal property under the provisions noted above and the order of resumption of the lands, by Government in 1922, as seen from the subsequent entries in column 20 of Inam Settlement Register, which is an exparte Order, is clearly in controvention of the Orders of the Inam Commissioner, noted in the same Column Viz., I. G.D. Service Järi II confirmed free to Serviedars". The Deputy Commissioner to whom an appeal was preferred in 1921 by Subbarayappa the father of the present first petitioner and the second petitioner, against

against the order of resumption of these lands from their possession by the Local Officers was heard by the then Deputy Commissioner Mr. A.K. Syed Tajpeeran on and after looking into all the references that the appellants had in their possession pronounced an order to the effect that the lands would be confirmed to them as per rules and promised to issue orders to the local officers to restore the lands to the appellants unconditionally. But much to the disappointment of the petitioners, nothing appears to have been done so far and the numerous petitions filed by them from that day to this, have fetched no relief inspite of the fact that they had full title to these lands and had convinced the Deputy Commissioner about the validity of the claims of the petitioners to them. The tyrrany of the local Officials and the inconvenience and misery caused to them by these, for no fault of theirs is indiscribable, perhaps as a result of these illegal and inconsistent orders passed by the Government. The Inam Lands hade been resumed, the other personal properties of the petitioners both moveable and immoveable have been attached and sold for the recovery of the full assessment on these lands from 1913 to 1922 and they have been reduced to beggary and destitution for none of their fault and above all, they

they have been kept in utter darkness of the orders passed by Government in 1922 upto this date and it is only now that they have received an endorsement from the Deputy Commissioner to the effect that Government have passed orders directing the resumption of these lands and that the petitioners had to approach Government for a revision of the orders passed by them (vid the endorsement granted by the Deputy Commissioner enclosed herewith). Hence the present petition praying for the rivision of the orders passed by Government in 1922

10 The petitioners humbly submit therefore that the several documents produced herewith which unhesitatingly and undoubtedly confer irrevokable title for these lands on the petitioners, may kindly be perused, that the records ~~connected~~ leading to these resumption and leasing out of these lands rather illegally may also be sent for and perused and that the order stated to have been passed directing the resumption of these lands be withdrawn and the lands ordered to be restored to them, as Inam with full title of ownership as per Inam Rules. (Further they pray :-

11) 1). that the amounts illegally recovered from them as full assessment for these lands from 1913 to 1922 may kindly be ordered to be refunded to them at once

(2). that the realisations from the Panchasala Gutta of these lands from 1922 onwards may be ordered to be refunded to them also, as the order of resumption itself was illegal;

(3). that the sale of the other properties of the petitioner, which have also been sold for the recovery of these irregular demands may also be ordered to be cancelled and the properties restored to them at least now.

and (4). that as the petitioners have been put to untold misery by Government for no fault of theirs all these years, and they are now standing with their families, intermediate orders may kindly be passed to put the petitioners in possession of these lands, as a temporary measure pending final orders of Government on the subject and that early final orders may kindly be passed in the matter.

1) [illegible]

Bangalore.
14th.Octr.38.

2) [illegible]

PETITIONERS.

App. F. G. 9]

GOVT. OF H. H THE MAHARAJA OF MYSORE.

GEN. & REV. SECRETARIAT.

OFFICIAL MEMORANDUM.

9 10-11-38

No. 729/My 126-38-2 Rev Sec 6

The accompanying Petition Registered No. 4.39/38-39 dated 20/10/38 received at the General and Revenue Secretariat from Taba Bhatchaiya & Taba Venkata Lakshmamma of Subbele Hobli TK praying for a revising order passed about the Taffe Service Inam lands resumed from them and restored to Sri Kasi-Viswewara Swami temple at the place.

X Sent with

is forwarded, together with its X enclosures to the The M. C. .....

.....

.....for favour a report with the connected records

By Order,

Secretary.

BANGALORE.

7.11.1938

P. T. O.

MD 2369 -GPB- 3 000—14-6-27

Inam 126-38-B

M. C. 181
No. H.C. 28/38-39.
1626 & 6

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

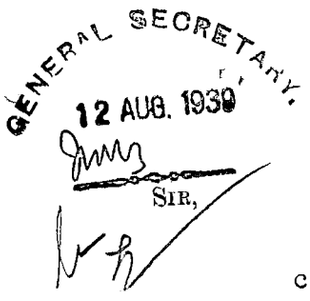
Bangalore, 12th August 1939.

FROM

S. ABDUL WAJID, Esq., B.A.,
Muzrai Commissioner in Mysore.

To

J. Appaji Gowda, Esq., B.A.(Hon.),
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General.....*Department.*



SIR,

Re. A petition for the restoration of certain Tafe Service Inam lands in Gulebele Village, Hoskote Taluk.

—

With reference to your Official Memorandum No.729 dated 10-11-1938 calling for a report on a petition of Tafa Puttahaiya and another praying for the restoration of certain Tafe Service Inam lands which were resumed from them, I have the honor to forward herewith the entire file of correspondence ending with letter No.894 dated 5-8-1939, received from the Superintendent of Inam Settlements in Mysore, on the above subject; and to state as follows:-

S.Nos.189 and 265 of a total extent of a. g. 13-19 and assessed at Rs 40 have been endowed to Sri Parameswara and four other deities under Title Deed No.664/1138. The description of the inam is 'Devadaya Service' and the condition of the grant is 'for Tafe Service.' Steps were taken in 1922, to resume these lands to the temple after the death of the last service-holder, in accordance with the terms of the G.O.No.1560-71/Muz. F.84-05-3 dated 10-4-1909 and sanction of Government was also obtained for the resumption and transfer of these lands to the khate of the above temples (vide Government Orders noted in the margin).

The contention of the petitioners now is that the above lands were granted to them for Tafe Service, conferring on them full title for the perpetual enjoyment of these inams, that the lands in question have been registered in the khate of servicedars in their own right in the village accounts of the year 1886, that a final title deed was issue-

G.O.No.5629-31/Muz.514-21-4 dated 11th April 1922
G.O.No.6509-11/Muz.514-21-6 " 19th May 1922

to the Tafa servicedars in their individual capacity in respect of these lands and that, therefore, their case has to be decided according to the former portion of para 5 of the Government Order dated 10-4-1909, which lays down that, "Where land or other inams, if any, have been specially granted to any individuals for Tafe Service in temples and title deeds have been issued in the names of such individuals, the Government direct that such inams be confirmed under Rule VIII, Clause (f) of the Inam Rules to the holders thereof as permanent and alienable property, subject to the payment of quit rent as laid down therein".

From the copy of the Inam Title Deed produced by the petitioners and the Quit Rent Register, it does not appear that what the petitioners say above is correct. In neither of these references is there any assertion that the inams have been specifically granted to any individuals, nor is the title deed issued in the name of such individuals. It is clear from the title deed that the grant is treated as Devadaya (column 2 of the Title Deed) that it is granted for the support of the temples in column 15 in which the tafe and services are performed (column 8 of the Title Deed).

In regard to an entry made in column 20 of the Inam Title Deed that the inam was confirmed to servicedar, a reference was made to the Inam Superintendent, to intimate if the mention of this fact gave any right to the persons to continue in the enjoyment of these lands; the reply received from him (enclosed in the records) shows that this terms 'servicedar' merely means the servicedar for the time being and has no reference to individuals.

While ordering the resumption of these lands from the Tafe people, in April 1922, the Government have fully gone into this question. For the reasons stated above, I do not agree with the Deputy Commissioner, Bangalore District, that the case should be governed by the former portion of para 5 of the Government Order dated 10-4-1909 (vide his letter No.C3-2125/38-39 dated 28-1-1939, enclosed). I am of opinion that there is no fresh valid ground to reopen the question.

The petition and the 5 enclosures received with the Official Memorandum referred to above, are enclosed.

I have the honor to be,
Sir,
Your most obedient servant,

Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 679. *Bangalore, Dated,* 28th Septr. 1939.

Jmy 126,38-4

ENDORSEMENT

To

Mr. Tafa Butchaiya and Tafa Venkatalakshma Sani,
Sulabale, Hoskote Taluk.

- - - -

With reference to their petition dated 14th Octr. 1938 praying for a reconsideration of orders passed regarding the resumption of certain Inam lands at Sulabale, Hoskote Taluk, from the Taffe people and the transfer of the same to the Khathe of Sri Kasi Viswaeswarasvami and to other temples in the place, ~~xxxxxxxxx~~ Mr. Taffe Butchaiya and Venkatalakshma Sani are informed that Government see no reason to reopen the question decided long back and that their revision petition is rejected. The enclosures to the petition are returned.

By Order,

(Sd.) J. Appaji Gowda.
~~xxx~~General Secretary to Government.

Memo No. 680 28-9-39

Copy of the above is forwarded with compliments ~~xxxx~~ to the Muzrai Commissioner returning records received with his letter No.H.C.28/38-39 dated 12th August 1939 on the subject.

By Order,

For General Secretary to Government.

S/3.

Appendix F G—1]

SUBJECT.....

.....

.....

3 Advs

Diary No. of letter replied to 2427

General and Revenue Secretariat

( )

the 193 .

Date of issue 28-9-39

Signed by W. S. K.V.

List of enclosures.....

Copied by 26 SEP 1939 GEN. & R. V. SECTT.

Examined by.....

Section Mun

File No. 125-38.

Serial No. 4.

No. 679/Jan 2-41.

To

Mr. Table Rutherford and

Table Venkatalakshmasami

Sulebele. Hosakote Tk.

Yours dated 14.10.38 praying for a reconsideration of orders passed re: the resumption of certain Inam lands at Sulebele Hosakote Tk, from the Table Peshkar & the handing over the same to the Khathe of Sri Kasi Viswesvaraswami Hosur & then leasing it to

Ordered in Accordance

Issued

WD 0278—GPB—30,000—4-3-38

Place, the Table submitted
Sub-Collector's recommendation
that Govt see no reason to reopen
the question decided long back
& that their representation is
rejected. The enclosures to this letter
are returned -

R-O

Memorandum 680 dated 28-9-39 from Collector

Reg to M.R returning records
received vide his letter no. H.C.
29 SP-39 of 12/9/39 in the
subject.

R-O/pm 26/9

for Collector

N 25/9